

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
July 21, 2008

MINUTES

 + [Back](#)  [Print](#)

1. CALL TO ORDER

Meeting called to order by Mayor Merkes at 7:23 p.m.

2. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance](#)

3. ROLL CALL/EXCUSED ABSENCES

A. [Roll call](#)

PRESENT: Ald. Pamenter, Taylor, Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner
ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press.
DEPT HEAD EXCUSED: PHD Nett

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 7/7/08](#)

Moved by Alderman Hendricks, seconded by Alderman Pack to approve minutes

Motion Carried on voice vote

Results:

Minutes to receive:

B. [Administration Committee, 7/7/08](#)

C. [Board of Public Works, 7/7/08](#)

D. [Landmarks Commission, 5/28/08, 7/9/08](#)

E. [Parks and Recreation Board, 7/14/08, 7/16/08](#)

F. [Plan Commission, 7/8/08](#)

G. [Water and Light Commission, 6/25/08](#)

Communications:

- A. [June 2008 Disposal Violations Report](#)
- B. [Lt. Chuck Sahr to Mayor Merkes & PC Stanke, 7/7/08; Livescan Grant](#)
- C. [Mayor Merkes to Common Council, 7/17/08; Special Common Council Meeting](#)
- D. [Town of Menasha Utilities District Commission minutes, 6/9/08](#)
- E. [Waverly Sanitary District minutes, 6/10/08](#)

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve Minutes to Receive B-G and Communications 1-5

Discussion: Ald. Wisneski-Minutes D (Landmarks Commission), confusing to read.

Motion Carried on voice vote

Results:

5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

- A. [PUBLIC HEARING: Special Use Permit Application of Don Verkuilen to allow the operation of a kennel at 2889 Manitowoc Road.](#)

CDD Keil explained where the property is located and the owner is a professional dog trainer and wants to increase the number of dogs beyond the four he currently has. The Plan Commission did table the item until they could consult with the City Attorney on some issues with the current ordinance. No action will be required by the Council at this time.

- 1) Mike Hagen, developer of Silver Birch Subdivision. Opposed to Special Use Permit, will be hard to sell lots adjacent to property.
- 2) Bill Borchardt, 2903 Birling Court. Oppose to Special Use Permit, owns lot adjacent to property, dogs barking.
- 3) William Egan, 1201 Silver Birch. Oppose to Special Use Permit, dogs barking.
- 4) Don Verkuilen, 2889 Manitowoc Road. Wants to start a small business, not a dog breeder, dogs don't bark constantly.
- 5) Ann Wachtendonk, 1164 Birlng Court. Opposed to Special Use Permit
- 6) Mayor Merkes read a letter from the Endter Family, 2919 Birling Court. Opposed to Special Use Permit, noise issue.
- 7) Clerk Galeazzi received an e-mail from Donald Kasten (no address listed). Opposed to Special Use Permit.

- B. [Public Comments on any matter of concern of the City.](#)

- 1) Mary Nebel, 713 First Street. Offer to Purchase, Province Terrace. Some discrepancy in offer, should go to Plan Commission.
- 2) Ken Kubiak, 1214 Fieldview Drive. Speeding problem on Province Terrace.

6. APPOINTMENTS

- A. [None](#)

7. CLAIMS AGAINST THE CITY

- A. [None](#)

8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [None](#)

9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1. [7/8/08; No Recommendations](#)

B. Administration Committee:

1. [The Wisconsin Historical Society Grant Agreement and Work Program. \(Recommendation of Landmarks Commission\)](#)

Moved by Alderman Wisneski, seconded by Alderman Pamenter to approve Grant Agreement and Work Program

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

2. [Offer to Purchase, Lot 10 Province Terrace, Wiegert Enterprises, LLC](#)

Moved by Ald. Wisneski, seconded by Ald. Zelinski to hold

CA/HRD Brandt explained because the Offer to Purchase is time specific, the hold motion is not an option.

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to accept Offer to Purchase

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (7)
Wisneski

NAYS: Zelinski (1)

3. [Free Admission Day at the Pool on Saturday August 9, 2008. \(Recommendation of Parks & Recreation Board\)](#)

Moved by Alderman Wisneski, seconded by Alderman Taylor to approve free admission day at the pool

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

4. [Request to extend timetable for landscaping 81/87 Racine Street and 504 Broad Street](#)

Moved by Alderman Wisneski, seconded by Alderman Pack to approve to extend timetable to Sept. 10, 2008

Motion Carried on voice vote
Results:

5. [Accounts payable and payroll for 7/10/08-7/17/08 in the amount of \\$777,030.78](#)

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve accounts payable

and payroll

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

C. Board of Public Works:

1. Street Use Application - Labor Day Parade; Monday, September 1, 2008; 9:30 AM - 11:30 AM; (Fox Valley Area Labor Council)

Moved by Alderman Pack, seconded by Alderman Taylor to approve Street Use Application

Motion Carried on voice vote

Results:

2. Street Use Application - St. Joseph's Food Pantry Run/Walk; Saturday, November 1, 2008; 8:45 AM - 10:00 AM; (Pacesetter's of the Fox Cities)

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to hold Street Use Application

Motion Held

Results:

3. Street Use Application - Grunski Runski; 10K and 2 Mile Run/Walk; Saturday, August 9, 2008; 8:30 AM - 10:30 AM; (City of Menasha Parks and Recreation Department)

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to hold Street Use Application

Motion Held

Results:

4. Street Use Application - Market On Main; Saturdays 8/2/08, 8/9/08, 8/16/08, 8/23/08, 8/30/08, 9/6/08, 9/13/08, and 9/20/08; 8:00 AM - 5:00 PM (Community Forward, Inc.)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve w/ Conditions Street Use Application with the understanding that each date is a seperate event and the six hour time limit is waived as the events require set up and take down time. Also the street area is needed due to the number of vendors and limited space in Curtis Reed Square.

Discussion

Motion Carried on voice vote

Results:

5. Payment - Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3, Contract No. E145-07-01A; Sanitary Sewer Lining; \$197,035.92 (Payment No. 4)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve payment

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

6. Payment - Infrastructure Technologies, Inc.; City of Menasha Wastewater Collection System

Rehabilitation Improvements Project - Phase 3, Contract No. E145-07-01D Sanitary Manhole Lining; \$27,059.63 (Payment No. 4)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve payment

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

7. Request for Stop Sign on Melissa Street at Grove Street

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to deny request

Discussion

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

8. Consideration of Additional Traffic Control Devices at the Intersections in Vicinity of Melissa Street and Grove Street (Ald. Benner)

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to deny request

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Wisneski , (7)
Zelinski
NAYS: Taylor (1)

9. Request for Yield Sign on Jennie Street at Greenwood Drive (Mayor Merkes)

Moved by Alderman Pack, seconded by Alderman Wisneski to deny request

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

10. Request for Traffic Control Signage on Applewood Drive at Southfield Drive and on Sweetbriar Lane at Southfield Drive

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to approve request

Motion Carried on voice vote

Results:

11. Consideration of Options for Surplus Commodity Revenue Through Tri-County Regional Recycling Program

Moved by Alderman Pack, seconded by Alderman Hendricks to approve the City cast its ballot for Winnebago County to refund the recycling revenue surplus to the municipalities

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamenter , Taylor , (8)
Wisneski , Zelinski

12. Solicitation of Interest in a Consolidated Procurement of Carts for Single Stream Recycling by the

WinnebagoCounty Solid Waste Management Board

Moved by Alderman Pack, seconded by Alderman Hendricks to table Solicitation of Interest

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamentner , Taylor , (7)

Zelinski

NAYS: Wisneski (1)

13. Solicitation of Interest in a Potential Solid Waste Management Board Ban of Computers/Electronics at the Winnebago County Landfill

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to hold Solicitation of Interest

Motion Held

Results:

14. Recommendation to Increase Tire Disposal Fees

Ald. Pack directed CA/HRD Brandt to prepare an ordinance.

10. ORDINANCES AND RESOLUTIONS

A. O-10-08 - An Ordinance Relating to Dogs in Parks

Moved by Alderman Taylor, seconded by Alderman Pamentner to adopt O-10-08

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamentner , Taylor , (7)

Zelinski

NAYS: Wisneski (1)

B. O-12-08 - An Ordinance Relating to Destruction of City Property (Ald. Wisneski - Recommendation of IT Steering Committee)

Moved by Alderman Wisneski, seconded by Alderman Pack to - suspend the rules and take up O-12-08 at this time

Motion Failed

Results:

Roll Call:

AYES: Benner , Pack , Pamentner , Wisneski (4)

NAYS: Hendricks , Michalkiewicz , Taylor , Zelinski (4)

C. O-13-08 - An Ordinance Relating to Landmarks Commission (Ald. Pamentner - Recommendation of Landmarks Commission)

No Action

11. HELD OVER BUSINESS

A. Street Use Application-National Night Out; Tuesday, August 5, 2008; 4:00 PM-8:00 PM (Trinity Lutheran Church) (Held 7/7/08)

Moved by Alderman Wisneski, seconded by Alderman Pack to approve Street Use Application

Discussion

Moved by Ald. Taylor, seconded by Ald. Hendricks to amend to ask organizers to send a notice to residents in the area of when the helicopter will be landing and taking off.

Discussion.

Ald. Taylor and Ald Hendricks removed their motion to amend.

Motion Carried on voice vote

Results:

12. COUNCIL DIRECTIVES

A. CDD Keil - Update on Brownfield Grant for Gilbert Site (Ald. Taylor)

CDD Keil reported the Planning Grant application has been submitted to the Dept. of Commerce. The Dept. of Commerce is expected to announce this week if the grant is approved. The grant will help in preparing the application for applying for the Brownfield Grant.

13. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. Public comments on matters pertaining to the agenda

No one spoke

14. ADJOURNMENT

A. Adjournment

Moved by Alderman Pack, seconded by Alderman Hendricks to adjourn at 8:31 p.m.

Motion Carried on voice vote

Results:

Respectfully submitted by Deborah A. Galeazzi, City Clerk